

REMARKS

Claim Rejections - 35 U.S.C. §102

**Claims 1 and 3 are rejected under 35 USC §102(b) as being anticipated by
Safabakhsh et al.**

Even though the Office fails to provide all the details as to what elements of the asserted prior art correspond to the claimed invention, from reviewing Figures 3, 4 and 5, it is the Applicant's perception that the Office corresponds offset prepeeled portion 55 of the prior art as dicing tape 24 of the present invention.

It should be noted that the only Office asserted annular members are chuck face 36 and the die eject collar 46. It is apparent that the chuck face 36 is stationary and unmoverable while the die eject collar 46 is moveable and may be displaced relative to the chuck fact 36. Therefore, there is only one moveable member; namely the die eject collar 46.

In contradistinction, as clearly shown in Figures 1, 2, 3A, 3B, 4A, 4B, 5A, 5B, 6A, 6B, 7A, 7B, 8A, 8B and associated written description, there are indeed a plurality of moveable annular contact members 56, 58 and 60, and a stationary annular contact member 54.

Therefore, the present invention is indeed patentably distinguishable over the asserted prior art due to the presence of a plurality of displaceable annular members. To ensure these patentably distinguishable features are accurately reflected in independent claim 1, relevant portions of independent claim 1 has been amended as shown hereinbelow:

peeling a semiconductor chip adhered to a tape from said tape by a peeling device including a plurality of annular displaceable contact members arranged in an order from an outer circumferential position to a central position all being housed inside

a stationary contact member arranged one after another from the outside to the inside, wherein the plurality of displaceable annular contact members are operated and displaced relative to each other so that the semiconductor chip is successively peeled off from the tape from ~~an~~ the outer circumferential ~~portion~~ position thereof toward a the central portion thereof position.

Independent claim 3 has also been similarly amended.

It is well settled that:

"A claim is anticipated only if each and every element *as set forth in the claim* is found, either expressly or inherently described, in a single prior art reference." *Constant v. Advanced Micro-Devices, Inc.*, 848 F.2d 1567, 7 USPQ2d 1057 (Fed. Cir. 1988)."

Should the Office continue to believe that independent claims 1 and 3, as amended, are still anticipated by the asserted prior art, a citation of where each and every claimed feature, either as column number and line number, or figure number and reference numeral, or a combination thereof, as disclosed in the asserted prior art is respectfully requested. Should the Office determine that any claimed feature is not disclosed in the asserted prior art, it is respectfully submitted that the claimed invention is not anticipated by the asserted prior art. Allowance of the claimed invention is then respectfully requested.

Claim Rejections - 35 U.S.C. §103

Claim 4 is rejected under 35 USC §103(a) as being unpatentable over Safabakhsh et al. in view of Wiesler et al.

Claim 5 is rejected under 35 USC §103(a) as being unpatentable over Safabakhsh et al.

Given that independent claims 1 and 3, as newly amended, are patentably distinguished over the asserted prior art. By virtue of inherency, all claims dependent thereon, are also patentably distinguished over the same asserted prior art further in view of whatever other secondary reference. Reconsideration and withdrawal of this rejection are respectfully requested.

Allowable Subject Matter

The Office indication of allowable subject matter in claim 2 is noted with appreciation. Accordingly, a new claim 6 incorporating the subject matter of claims 1 and 2 is enclosed herewith. Allowance of newly added claim 6 is respectfully requested.

CONCLUSION

In view of the aforementioned amendments and accompanying remarks, all pending claims are believed to be in condition for allowance, which action, at an early date, is requested.

In the event that this paper is not timely filed, Applicants respectfully petition for an appropriate extension of time. Please charge any fees for such an extension of time and any other fees which may be due with respect to this paper, to Deposit Account No. 50-2866.

Respectfully Submitted,

WESTERMAN, HATTORI, DANIELS & ADRIAN, LLP

A handwritten signature in black ink, appearing to read "Michael Lau", is written over the printed name.

Michael N. Lau
Attorney for Applicant
Reg. No. 39,479

MNL/eg
Atty. Docket No. 020262
Suite 700,
1250 Connecticut Ave., N.W.
Washington, D.C. 20036
(202) 822-1100

38834
PATENT TRADEMARK OFFICE